

Response to Amendment

1. This action is in response to amendment filed on 10/26/2007. Claims 1, and 8 have been amended. Claims 10-34 have been previously withdrawn. Claims 1-9 and 35-46 are pending examination.
2. IDS submitted on 11/06/2007, and on 09/25/2007 have been considered.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1-2, 4-6, 9, 35-41 and 44-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Arganbright et al, US Patent No. (6,980,962) referred to hereinafter as Arganbright.

As per claim 1, Arganbright teaches a method for processing the returns of merchandise purchased through the World Wide Web comprising: receiving from a consumer an electronic request via a computerized system associated with the consumer, the electronic request requesting to initiate processing of one or more items

of merchandise purchased by the consumer in a prior purchase transaction (see at least col.62 line 65-col.63 line 10); in response to receiving the electronic request from the computing system associated with the consumer gathering transaction history data associated with the consumer from a computerized database see col.63 lines 8-11 and col. 62 lines 4345; displaying the transaction history associated with the identified consumer to the consumer on the computerized system associated with the consumer, the transaction history identifying a listing of merchandise associated with the consumer (see col. 63 lines 5-10); in response to and after displaying the transaction history, receiving an electronic selection, generated by the consumer on the computerized system associated with the consumer, of a particular item of merchandise within the listing of merchandise in the displayed transaction history, the electronic selection comprising input into the computerized system (see col. 63 lines 8-11); and initiating a returns process in response to receiving the electronic selection (see col. 63 lines 8-11).

As per claim 2, Arganbright teaches a method of Claim 1 further comprising retrieving a preference profile for the identified consumer (see col. 62 lines 43-45)

As per claim 4, Arganbright teaches a method of Claim 1 further comprising notifying a retailer associated with the item selected by the consumer (see col.63 lines 8-11

As per claim 5, Arganbright teaches a method of Claim 4 further comprising providing the retailer with the transaction information and consumer information associated with the item selected by the consumer (see col. 63 lines 8-11

As per claim 6, Arganbright teaches a method of Claim 1 further comprising generating a return shipping label for the merchandise to be returned (col. 63 lines 23-30).

As per claim 9, Arganbright teaches a method of Claim 1 further comprising communicating between a client system and a server system via the Internet (see col. 63 lines 1-11).

As per claim 37, Arganbright teaches a method of Claim 1, wherein identifying the consumer comprises identifying the consumer using a login process (see col. 48 lines 50-65).

As per claim 38, Arganbright teaches a method of Claim 37, further comprising requesting transaction history data from a retailer on a real-time basis upon identifying the consumer using the login process (see at least col. 62 lines 42-45).

As per claim 39, Arganbright teaches a method of Claim 1, further comprising receiving transaction history data from a retailer on a periodic basis (see at least col. 48 lines 1-65).

As per claim 35, Arganbright teaches a method of Claim 2, further comprising completing the returns process based upon settings in the consumer preference profile (see col. 62 lines 42-45, and col. 63 lines 1-20).

As per claim 36, Arganbright teaches a method of Claim 2, wherein the consumer preference profile comprises a name associated with the consumer, credit information associated with the consumer, and shipping information associated with the consumer (col. 62 lines 42-45, and col. 63 lines 1-20, and col. 71 lines 9-10).

As per claim 40, Arganbright teaches a method of Claim 1, wherein the listing of merchandise in the transaction history is indicative of merchandise purchased by the consumer from an e-tailer (see at least col. 48 lines 1-65, col.62 lines 30-50).

As per claim 41, Arganbright teaches a method of Claim 1, wherein identifying the consumer comprises receiving a client system identifier in a message from the consumer (see col. 48 lines 1-65).

As per claim 44, Arganbright teaches a method of Claim 1, wherein initiating the return process comprises determining if the selected item of merchandise is perishable (see col. 63 lines 10-20).

As per claim 45, Arganbright teaches a method of Claim 1, wherein initiating the return process comprises using the computerized system associated with the consumer to generate a return shipping label to be used to return the selected item (see col. 63 lines 10-35).

As per Claims 46, the limitations of claim 46 are similar to the limitations of claim 1, therefore it is rejected based on the same rationale

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 7-8 and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arganbright in view of Roman et al., US PG Pub. No. (US 2002/0010634 a1) and official notice.

As per claim 8, Arganbright teaches all the limitations of claim 8, except for auctioning the merchandise selected for return by the consumer. However, Roman teaches returns disposition including resale of product returns via auction over the internet (see at least Para [0003]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Roman into the disclosure of Arganbright in order to minimize the loss of revenues of the merchant.

As per claim 3, Arganbright does not expressly teach crediting a consumer account indicated in the consumer preference profile based upon the item selected. However Roman teaches crediting a consumer's account (see at least Para [0017]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Roman into the disclosure of Arganbright, for the convenience of the consumer and consumer satisfaction.

As per claim 7, Although Arganbright teaches printing a shipping label in conjunction with United States Postal Service for Example, Arganbright does not expressly teach notifying a shipping provider of a merchandise return to be picked up. However Roman teaches notifying a shipping provider to pick up the merchandise (see at least Para [0020]). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Roman into the disclosure of Arganbright in order to provide the customer with an added convenience.

RE: Claim 42, Arganbright does not expressly teach the step of determining whether the return is valid prior to the downloading step. However Roman teaches the step of determining whether the return is valid prior to the downloading step (see pp 0016 line 2 submitted return is analyzed for fraud against a database). It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Roman into the disclosure of Arganbright in order to prevent the invalid return of merchandise.

RE: Claim 43: Arganbright does not expressly teach comparing information associated with the selection of the item of merchandise to at least one return rule of a retailer associated with the transaction. However Roman teaches an e-tailer establishes parameter e.g. rules to determining whether the return is valid, see pp 0016 Roman et al. It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Roman into the disclosure of Arganbright the motivation being the same as in claim 10.

Cited references

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form 892 for cited references.

Contact information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mussa A. Shaawat whose telephone number is 571-272-2945. The examiner can normally be reached on Mon-Fri (8am-5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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December 11, 2007
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